

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52043 of 2021

Arising Out of PS. Case No.-305 Year-2019 Thana- BALIYA District- Begusarai

PINTU KHALIFA Son of Ashok Khalifa Resident of Village- Nadail Ghat,
Mirkallapur, P.S.- Bakhri, District- Begusarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K.Agrawal, Sr. Adv.
		Mr. Pushpendra Kumar Singh, Adv.
For the Opposite Party/s :		Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 31-03-2022 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 364, 366A, 367, 370A, 371, 372, 373, 376, 120B and 34 of the Indian Penal Code, sections 3, 5, 6, 7 and 8 of Immoral Traffic (Prevention) Act, sections 4, 6, 12 and 17 of the POCSO Act and sections 75/18 of the Juvenile Justice (Care and Protection) Act. .

As per the prosecution case, on receiving information about the accused persons having involved minor girls in prostitution, a team was constituted and a raid was conducted. Several girls were recovered and a number of accused persons were caught.

It is submitted by learned senior counsel for the petitioner that the petitioner is not named in the F.I.R. He was falsely implicated in the case for the reason that the raid was



conducted at the place of an accused Shankar Khalifa who happens to be the father-in-law of the petitioner. The name of the petitioner transpired in course of investigation in the statement of one of the girls namely Gajni @ Fulnaz recorded under section 164 Cr.P.C. The girl was medically examined and her age was found to be between 17-19 years. The petitioner is in custody since 12.3.2021 and chargesheet has been submitted in the case.

The application for bail is opposed by learned A.P.P. for the State who submits that the statement of one of the 14 year old victim was recorded under section 164 Cr.P.C. wherein she has clearly stated about the involvement of the petitioner. She was kept at his house wherein he got her involved in prostitution.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation specially the statement under section 164 Cr.P.C. of one of the 14 year old victim, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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